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04/23/2008

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EXAMINER

ORR, HENRY W

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/800,786 | <b>Applicant(s)</b><br>GARCIA ET AL. |  |
|                              | <b>Examiner</b><br>Henry Orr         | <b>Art Unit</b><br>2176              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/26/2008 has been entered.

**DETAILED ACTION**

1. This action is responsive to applicant's amendment dated 2/26/2008.
2. Claims 1-15 are pending in the case.
3. Claims 1, 6 and 11 are independent claims.

**Applicant's Response**

4. In Applicant's response dated 2/26/2008, applicant has amended the following:
  - a) Claims 1, 2, 6, 7, 11 and 12

***Claim Objections***

5. The claims are objected to because the lines are crowded too closely together, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

Claims 1, 6 and 11 are objected to for the following informalities:

“Subsets of the Sheets” should be amended to “Subsets of the Sheet Sets” in lines 5, 6 of claim 1, line 6 of claim 6, lines 6, 7 of claim 11 to provide proper antecedent basis. For examining purposes, Examiner will interpret “Subsets of the Sheets” to be “Subsets of the Sheet Sets”.

Appropriate corrections are required.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 6-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to abstract ideas that are not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. See MPEP § 2106**

Claim 6:

Claim 6 recites an “**apparatus**” comprising a “**graphics program**”. The recited “**graphics program**” is merely computer software that performs various functions.

Thus, the recited **“apparatus”** is comprised merely of computer software and is not a process, a machine, a manufacture or a composition of matter.

Accordingly, the claim fails to recite statutory subject matter as defined in 35 U.S.C. § 101.

Claims 7-10:

Dependent claims 7-10 are rejected for fully incorporating the deficiencies of their respective base claims.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**7. Claims 1, 2, 5-7, 10-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonney et al. (hereinafter “Bonney”), U.S. Patent No. 6,466,953 B1, in view of Workman et al. (hereinafter “Workman”), U.S. Published Application No. 2004/0236754 of record.**

Claim 1:

Bonny teaches a graphic program such as a computer aided design application program (see abstract). **(claim 1; i.e., performing one or more functions of a Sheet Set Manager in the graphics program)** Examiner interprets the computer aided

design application program to be capable of functioning as a Sheet Set Manager (see abstract).

Bonney teaches *"Drawings, in general, may include many details of the models such as, but not limited, alternate views, section views, detail views of certain aspects of each of the models"* (see col. 1 lines 26-30). **(claim 1; i.e., wherein the Sheet Set Manager manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets, wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheets and the Sheets, each of the Subsets of the Sheets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view** Examiner considers the drawings to be a set of drawing sheets and the section views to be subsets of the sheets.

Bonney teaches *"where the graphical icons are interrelated to one another representing a hierarchical relationship among multiple objects of one or more sheets, and the sheets are included within a drawing by a computer aided design (CAD) application program"* (abstract). **(claim 3; i.e., such that the Sheet Set Manager displays a hierarchical tree representation of the Sheet Set that shows the Subsets of the Sheets Sets and the Sheets contained within the Sheet Sets, as well as the Sheets contained within the Subsets of the Sheet Sets)** Examiner considers the hierarchical relationship amongst the graphical icons that represents drawing sheets to be a display of a logical structure for sheet sets, subsets, and sheets. Bonney's Figure 2 illustrates the hierarchical logical structure displayed on a computer (see Figure 2; ref. #121).

Bonney fails to expressly teach publishing a Sheet Set.

However, Workman teaches an interface for publishing Sheets using a click operation (see par. 5, par. 51). **(claim 1; i.e., and the Sheet Set Manager publishes a selected one of the Sheet Sets using a single operation.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer aided design program as taught by Bonney to include an interface for publishing Sheets as taught by Workman to provide the benefit of quickly reviewing drawings within a Sheet Set (see Workman; par. 51).

Claim 2:

Bonney fails to expressly teach publishing a selection of Sheets within the Sheet Set using a single operation.

However, Workman teaches a single operation of a click that is used to publish target drawings (see par. 51). **(claim 2; i.e., wherein the Sheet Set Manager publishes a selection of the Sheets within the published Sheet Set using the single operation.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer aided design program as taught by Bonney to include an interface capable of receiving a single click operation as taught by Workman to provide the benefit of quickly reviewing drawings within a Sheet Set (see Workman; par. 51).

Claim 5:

Bonney teaches a plot stamp with each Sheet (see par 22).

Bonney fails to expressly teach including a plot stamp with each Sheet of the published Sheet Set.

However, Workman teaches including a plot stamp with each published Sheet (see par. 5, par. 51). **(claim 5; i.e., wherein the Sheet Set Manager includes a plot stamp with each of the Sheets of the published Sheet Set.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer aided design program as taught by Bonney to include an interface for publishing a Sheet Set with a plot stamp as taught by Workman to provide the benefit of quickly allowing designers to review and identify the drawings within a Sheet Set (see Workman; par. 4-5, par. 51).

Claims 6, 7 and 10:

Claims 6, 7 and 10 are apparatus claims and are substantially encompassed in method claims 1, 2 and 5 respectively; therefore the apparatus claims are rejected under the same rationale as method claims 1, 2 and 5 above.

Claims 11, 12, and 15:

Claims 11, 12, and 15 include a program embodied on a computer readable medium to implement the steps that are substantially encompassed in method claims 1,



2 and 5 respectively; therefore the claims are rejected under the same rationale as method claims 1, 2 and 5 above.

**8. Claims 3, 4, 8, 9, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonney, in view of Workman as cited above, and in further view of Haddad, U.S. Publication No. 2002/0111928 A1 of record.**

Claim 3:

Neither Bonny nor Workman expressly teaches applying publishing override properties for the Sheets.

However, Haddad teaches "Fig. 9C illustrates a graphical user interface screen for editing print settings for a selected document set etc...Parameters related to the print media are entered by the user in the sheet definitions fields 932" (see p. 7 par. 91).

**(claim 3; i.e., wherein the Sheet Set Manager applies publishing overrides to the published Sheet Set, thereby changing a plurality of publishing properties for the Sheets.)** Examiner considers the print settings entered by the user for a printing work order to override any default publishing printing properties at a reprographic company that receive the printing work order for the drawing sheets. **(claim 3; i.e., wherein the Sheet Set Manager applies publishing overrides to the published Sheet Set, thereby changing a plurality of publishing properties for the Sheets.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer aided design program as taught by Bonney to include an interface for publishing a Sheet Set as taught by Workman and to modify

the application program in Bonney's Figure 2 to include a graphical user interface for print settings as taught by Haddad to provide the benefit of properly applying a print specification to a drawing document in an efficient manner (see Bonney; par. 23 Figure 2) (see Workman; par. 5, par. 51) (see Haddad; p. 1 par. 4-5).

Claim 4:

Neither Bonny nor Workman expressly teaches allowing different elements of the published Sheet Set to be sent to different output devices.

However, Haddad teaches *"one or more repro companies can be selected to produce the print work order"* (see p. 7-8 par. 93). **(claim 4; i.e., wherein the Sheet Set Manager allows different elements of the published Sheet Set to be sent to different output devices.)** Examiner considers the repro companies to be capable of printing the applicable documents or files (see Haddard; p. 4 par. 51). Therefore, the different repro companies listed in the graphical interface of Haddard's Figure 11 have their own individual output device, which allows a user to send print work orders associated with drawing sheets to the different repro companies having their own printing output device.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer aided design program as taught by Bonney to include an interface for publishing a Sheet Set as taught by Workman and to modify the application program in Bonney's Figure 2 to include a graphical user interface for repro companies as taught by Haddad to provide the benefit of efficiently producing and

distributing printed documents (see Bonney; par. 23 Figure 2) (see Workman; par. 5, par. 51) (see Haddad; p. 1 par. 9-11).

Claims 8 and 9:

Claims 8 and 9 are apparatus claims and are substantially encompassed in method claims 3 and 4 respectively; therefore the apparatus claims are rejected under the same rationale as method claims 3 and 4 above.

Claims 13 and 14:

Claims 13 and 14 include a program embodied on a computer readable medium to implement the steps that are substantially encompassed in method claims 3 and 4 respectively; therefore the claims are rejected under the same rationale as method claims 13 and 14 above.

### ***Response to Arguments***

8. Applicant's arguments filed 2/26/2008 have been fully considered but they are not persuasive.

### **Rejections under 35 U.S.C. 103(a):**

Applicant argues that Bonney does not describe a Sheet Set Manager. Bonney merely describes drawings generally, where a drawing may include views and may be comprised of multiple sheets. Specifically, Bonney says nothing about Sheets Sets containing both Subsets and Sheets. In addition, Bonney says nothing about Subsets of

Sheets Sets containing Sheets. Finally, Bonney says nothing about a hierarchical relationship between Sheet Sets, Subsets of Sheets, and Sheets.

Instead, the hierarchical relationship shown in FIG. 2 of Bonney refers only to relationships between sheets, i.e., each icon 200-218 in FIG. 2 is a sheet. Nowhere does FIG. 2 of Bonney refer to Sheets Sets containing both Subsets and Sheets, or Subsets of Sheet Sets containing Sheets.

Indeed, there is no recognition in Bonney of the concept of Sheet Sets or Subsets of Sheet Sets, as those terms are defined in Applicants' claims and specification (see Response p. 7-8).

Examiner respectfully disagrees.

Firstly, in respect to Examiner's interpretation of applicant's claim language, Examiner interprets the scope of a "one or more Sheet Sets" to cover a Sheet Set having one sheet. Examiner interprets the scope of a "one or more Subsets of the Sheet Sets" to cover a Subset of the Sheet Set having one sheet. Examiner interprets the scope of "one or more Sheets" to cover one sheet.

Furthermore, Applicant agrees that Bonney teaches a drawing which may include views (see Response p. 7 2<sup>nd</sup> full paragraph). Examiner interprets the drawing and at least one section view as taught by Bonney to read on a "Sheet Set"; however the drawing would also read on a "Sheet Set" having one sheet. Examiner interprets the section view as taught by Bonney of the drawing to read on a "Subset of the Sheet Set"

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having one sheet because the section view contains a sub-part ("subset") of the drawing. Examiner interprets the drawing or the section view to also read on "one or more Sheets" because a drawing and a section view are separate sheets. Therefore, the drawing including views (e.g. section view) as taught by Bonney anticipates "one or more Sheet Sets", and "one or more Subsets of the Sheet Sets" and "one or more Sheets". **(claim 1; i.e., wherein the Sheet Set Manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets)**. Thus, Bonney does teach or suggest the concept of at least one Sheet Set or Subset of Sheet Sets as recited by Applicants' claims.

Secondly, in respect to Examiner's interpretation of applicant's claim language, Examiner interprets "each of the Sheet Sets" to cover the scope of **only** one Sheet Set (e.g. drawing including at least one section view as taught by Bonney). Examiner interprets "a collection of the Subsets of the Sheet[s] **Set**" to cover the scope of a collection of **only** one subset of the Sheet Set having one sheet (e.g. section view as taught by Bonney). Examiner interprets "Sheets" to cover the scope of having **only** one sheet (e.g. drawing or section view is a sheet). Therefore, the drawing including views (e.g. section view) as taught by Bonney anticipates a Sheet set (e.g. drawing including section view) comprising a collection of the Subset of the Sheet Set (e.g. section view) and the Sheets (e.g. drawing or section view is a sheet). **(claim 1; i.e., wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheet[s] **Sets** and the Sheets)**. Thus, Bonney does teach or suggest the concept of at least one Sheet Set or Subset of Sheet Sets as recited by Applicants' claims.

Finally, in respect to Examiner's interpretation of applicant's claim language, Examiner interprets "each of the Subsets of the Sheet[s] Set" to cover the scope of having **only** one Subset of the Sheet Set (e.g. section view as taught by Bonney). Examiner interprets "a collection of the Sheets" to cover the scope of a collection of **only** one sheet (e.g. section view as taught by Bonney). Therefore, the drawing including views (e.g. section view) as taught by Bonney anticipates the Subset of the Sheet Set (e.g. section view as taught by Bonney) comprising a collection of the Sheets (e.g. section view as taught by Bonney), and each of the Sheets comprises a drawing, layout or view (e.g. section view as taught by Bonney). **(claim 1; each of the Subsets of the Sheet Sets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view)** Thus, Bonney does teach or suggest the concept of at least one Sheet Set or Subset of Sheet Sets as recited by Applicants' claims.

In addition, Bonney's Figure 2 illustrates the hierarchical relationship of sheets as admitted by Applicant (see Response p. 8 3<sup>rd</sup> full paragraph). Examiner interprets the section view to be related to the drawing (see Bonney; col. 1 lines 26-36). Examiner interprets Bonney's Figure 2 to be capable of illustrating a hierarchical relationship between a drawing and the drawing's section view. Therefore, Examiner submits that the relationship between drawings and section views and the hierarchical relationship demonstrated amongst sheets in Bonney's Figure 2 (e.g. drawing or section view is a sheet) anticipates relationships between a Sheet Set (e.g. drawing and section view)

containing both a Subset (e.g. section view) and Sheets (e.g. drawing or section view is a sheet) **(claim 1; i.e., such that the Sheet Manager displays a hierarchical tree representation of the Sheet Set that shows the Subsets of the Sheet Sets and the Sheets contained within the Sheet Sets, as well as the Sheets contained within the Subsets of the Sheet Sets)**. Thus, Bonney does teach or suggest a hierarchical relationship between Sheet Sets, Subsets of the Sheets, and Sheets.

Applicant argues that Workman does not describe a publishing a Sheet Set. Specifically, Workman says nothing about Sheet Sets containing both Subsets and Sheet, and the ability to publish a Sheet Set using a single operation. Instead, Workman merely describes publishing as comprising plotting or printing drawings generally, and the publishing of a single target drawing traced from a callout link specifically. Indeed, there is no recognition in Workman of the concept of publishing a Sheet Set in a single operation, where the Sheet Set is comprised of Subsets of Sheet Sets and Sheets, as those terms are defined in Applicants' claims and specification (see Response p. 8-9).

Examiner respectfully disagrees.

Examiner notes that Bonney is relied upon to teach Sheet Sets containing both Subsets and Sheets as explained above.

Applicant admits that Workman teaches publishing a single target drawing (see Response p. 9 4<sup>th</sup> full paragraph). Examiner interprets the single target drawing as

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Workman to anticipate a "Sheet Set" having one sheet. Workman also teaches a click operation ("single operation") capable of publishing the single target drawing.

Therefore, Workman does teach or suggest the ability to publish a Sheet Set using a single operation.

For at least the foregoing reasons, Examiner maintains prior art rejections.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308.

The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a



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4/15/2008

HO

/Rachna S Desai/  
Primary Examiner, Art Unit 2176